

STATE OF ALASKA
DEPARTMENT OF ENVIRONMENTAL CONSERVATION
SOLID WASTE PROGRAM
410 Willoughby Avenue
Suite 303
Juneau, Alaska 99801

SOLID WASTE DISPOSAL PERMIT

PERMIT NO. 0011-BA003

Date: January 25, 2001

This solid waste disposal permit for a wood waste monofill is issued to Silver Bay Logging Inc. 8429 Livingston Way, Juneau Alaska, 99801 in T63S, R84E, Sections 18 and 20, Copper River Meridian. This permit allows Silver Bay to dispose of approximately 8,300 cubic yards per month on average in a 10-acre intertidal site during a 3-4 year period.

Surface water sampling shall be conducted as stated in Appendix D of this permit, the Surface Water Control plan in the application and as described in supplemental information dated October 18, 2000.

This permit is subject to the conditions and stipulations contained in Appendices A-E of this permit. This permit is issued under provisions of Alaska Statutes 46.03, The Alaska Administrative Code, as amended or revised, and other applicable state laws and regulations.

This permit is effective upon issuance, and expires **January 25, 2006**. It may be terminated or modified in accordance with AS 46.03.120.

Heather Stockard
Solid Waste Program Manager

PERMIT CONDITIONS AND STIPULATIONS
APPENDIX A: APPLICATION COMPLIANCE

1. The permittee shall dispose of solid waste in accordance with the application submitted August 20, 2000, revisions to the application dated October 18, 2000 and November 15, 2000, as approved by the Department, the Alaska Solid Waste Management Statutes and Regulations, as amended, and with the stipulations listed below. Where there is a conflict between the application and this permit, this permit shall take precedence. If there is a significant change in the design or operation of the facility, a plan shall be submitted to the Department for approval.
2. If Silver Bay Logging Inc. transfers ownership of the land or the landfill, the Department will be notified within 30 days of the change in ownership.
3. The Department approves the waiver from regulation 18 AAC 60.225 (a) that prohibits the placement of waste in surface water. Silver Bay Logging Inc. shall to the extent practicable keep water from ponding in the active waste disposal cells. Surface water monitoring is required.

APPENDIX B: PROHIBITIONS AND LIMITATIONS

The permittee shall:

1. prohibit the disposal of bulk liquid wastes and containerized liquid wastes.
2. dispose only wood waste, wood chips, sawdust, dredge spoils, and sort-yard waste consisting of wood debris, mud and rock.
3. prohibit the disposal of any piece of wood larger than 1 cubic foot.

APPENDIX C: OPERATION

The permittee shall:

1. ensure that dust, odor, noise, traffic and other effects from facility operations do not become a nuisance or hazard to the health, safety, or property of persons outside the boundary of the facility.
2. control litter at the site.

APPENDIX D: MONITORING, RECORDS, AND REPORTING

1. Monitoring:

The permittee shall monitor according to the Surface Water Control plan reviewed and approved by the Department. Monitoring shall be conducted quarterly during the life of the project and continue for 5 years of post-closure monitoring. The results of the environmental monitoring program, including laboratory results, comparative analyses, QA/QC reports, and evaluation will be consolidated and reported quarterly. If any exceedances of applicable standards occur, the permittee will submit written notification to the Department within 30 days after detecting a violation.

The Department reserves the right to require sampling of additional points if seeps from around the periphery of the project site show potential for being a water quality concern. Upon notification from the Department, the permittee shall evaluate any identified seeps and submit the results, with a revised monitoring plan if appropriate, for the Department's review and approval. Any revised monitoring plan may include consideration for discontinuing sampling at one or more of the monitoring wells, and sampling of the seeps instead.

The permittee shall also conduct one sampling event of the ponded water in any active cell where wood waste may have been deposited and significant quantities are floating in the water for more than 2-3 days. If Water Quality Standards are not met after the initial sampling event, then the permittee must propose a plan to achieve Water Quality Standards for the next sampling event. The Department may require pumping or treatment of the ponded water if Water Quality Standards are not met after several sampling events.

2. Records and Reporting:

The permittee shall retain records and information resulting from the monitoring activities required by this permit for observation by the Department. Upon request from the Department, the permittee shall submit copies of such records.

Unless otherwise specified, all reporting, submittals, and notifications made pursuant to this permit will be submitted to Solid Waste Program, Alaska Department of Environmental Conservation, 410 Willoughby Avenue, Suite 303, Juneau, Alaska, 99801, (907) 465-5153 telephone, (907) 465-5362 fax.

APPENDIX E - GENERAL PERMIT CONDITIONS

I. ACCESS AND INSPECTION

The permittee shall allow the Commissioner or his/her representative access to the permitted facilities at reasonable times to conduct scheduled or unscheduled inspections or tests to determine compliance with this permit, State laws, and regulations.

II. INFORMATION ACCESS

Except for information relating to trade secrets, submitted under a claim of confidentiality, and for which the Department has determined in writing that protection from disclosure is appropriate, all records and reports submitted in accordance with the terms of this permit shall be available for public inspection at the State of Alaska Department of Environmental Conservation, Juneau Office, 410 Willoughby Ave, Suite 303, Juneau, Alaska 99801.

III. CIVIL AND CRIMINAL LIABILITY

Nothing in this permit shall relieve the permittee from civil or criminal penalties for noncompliance, whether or not such noncompliance is due to factors beyond his control, including, but not limited to, accidents, equipment breakdowns, or labor disputes.

IV. AVAILABILITY

The permittee shall post or maintain a copy of this permit available to the public at the disposal facility.

V. ADVERSE IMPACT

The permittee shall take all necessary means to minimize any adverse impacts to the receiving waters or lands resulting from noncompliance with any limitation specified in this permit, including any additional monitoring needed to determine the nature and impact of the non-complying activity. The permittee shall cleanup and restore all areas adversely impacted by the noncompliance.

VI. CULTURAL OR PALEONTOLOGICAL RESOURCES

Should cultural or paleontological resources be discovered as a result of this activity, work which would disturb such resources is to be stopped, and the State Historic Preservation Office, Division of Parks and Outdoor Recreation, Department of Natural Resources, is to be notified immediately (907-269-8721).

VII. APPLICATIONS FOR RENEWAL

Applications for renewal or amendment of this permit must be made no later than 30 days before the expiration date of the permit or the planned effective date of the amendment.

VIII. OTHER LEGAL OBLIGATIONS

The requirements, duties, and obligations set forth in this permit are in addition to any requirements, duties, or obligations contained in any permit that the Alaska Department of Environmental Conservation or the U.S. Environmental Protection Agency has issued or may issue to the permittee. This permit does not relieve the permittee from the duty to obtain any and all necessary permits and to comply with the requirements contained in any such permit or with applicable state and federal laws and regulations. All activities conducted by the permittee pursuant to the terms of this permit and all plans implemented by the permittee pursuant to the terms of this permit shall comply with all applicable state and federal laws and regulations.

IX. POLLUTION PREVENTION

In order to prevent and minimize present and future pollution, when making management decisions that affect waste generation, the permittee shall consider the following order of priority options: waste source reduction; recycling of waste; waste treatment; and waste disposal.